

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

**FILED**

NOV 14 2007

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY                      DEPUTY

**JULIUS DARIUS JONES**  
*Petitioner,*

-vs.-

**MARTY SIRMONS, Warden, Oklahoma  
State Penitentiary,**

*Respondent.*

**DEATH PENALTY**

0 IV - 07 - 1290 - D

Case No.

**PRO SE REQUEST FOR APPOINTMENT OF COUNSEL  
AND BRIEF IN SUPPORT**


Petitioner, Julius Darius Jones, appearing pro se, respectfully moves the Court for leave to proceed *in forma pauperis* and further respectfully requests the appointment of counsel to assist in the preparation, filing, and presentation of a petition for a writ of habeas corpus pursuant to 28 U.S.C. Sec. 2254.

1. I am in the custody of the Warden of the Oklahoma State Penitentiary in McAlester, Oklahoma as a result of a first degree murder conviction and sentence of death entered by the District Court of Oklahoma County, in Case No. CF-99-4373.
2. On appeal, the Court of Criminal Appeals affirmed my conviction and death sentence on January 27, 2006 . *Jones v. State*, 2006 OK CR 5, 128 P.3d 521, *cert. denied*, October 10, 2006. My Application for Post Conviction relief was denied by the Court of Criminal Appeals of the State of Oklahoma on November 5, 2007.
3. I asserted a number of violations of the United States Constitution in state court proceedings, but the state courts did not remedy those violations. All of those claims are exhausted.
4. I am indigent.
5. I desire to pursue a federal habeas corpus action.

6. I request that this Court, pursuant to 21 U.S.C. § 848 (q)(4)(B) and *McFarland v. Scott*, 512 U.S. 849, 114 S.Ct. 2568, 129 L.Ed.2d 666 (1994), appoint experienced capital habeas corpus attorneys to represent me in federal court and prepare a habeas corpus petition for me. See also, Chapter Six of the Guide to Judiciary Policies and Procedures; 18 U.S.C § 3006A. Specifically, I request the appointment of the Death Penalty Federal Habeas Corpus Division of the Federal Public Defender's Office for the Western District of Oklahoma (the FPD), which, I am told, serves all federal districts in Oklahoma. Alternatively, I request appointment of a lawyer from the Special Death Penalty Habeas Corpus Panel maintained by the FPD.
7. I further request that this Court stay the running of any period of limitations until counsel is appointed.

I declare, under penalty of perjury, that the facts set forth above are true and correct.

Dated this 9 day of Nov, 2007.



JULIUS DARIUS JONES, #270147  
Oklahoma State Penitentiary  
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